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6 Attorneys for Plaintiff
United States of America
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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 GABRIEL DIOP,

15 Defendant.

CASE NO. 2:21-CR-00106-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: December 6, 2021

TIME: 9:00 a.m.

COURT: Hon. William B. Shubb

16
17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and the defendant, by
19 and through his counsel of record, hereby stipulate as follows:

20 1. By previous order, this matter was set for status on December 6, 2021. ECF No. 24.

21 2. By this stipulation, the defendant now moves to continue the status conference until

22 February 7, 2022 at 9:00 a.m., and to exclude time between December 6, 2021, and February 7, 2022,
23 under Local Code T4.

24 3. The parties agree and stipulate, and request that the Court find the following:

25 a) The government has represented that the discovery associated with this case
26 includes more than 20,000 pages of discovery, images, and video files. Approximately 7,000
27 pages of this discovery has been produced directly to counsel and the remainder has been made
28 available for inspection and copying.

1 b) Counsel for the defendant desires additional time to consult with her client,
2 review the charges, conduct investigation and research related to the charges, review and copy
3 discovery, discuss potential resolutions, prepare pretrial motions, and otherwise prepare for trial.

4 c) Counsel for the defendant believes that failure to grant the above-requested
5 continuance would deny her the reasonable time necessary for effective preparation, taking into
6 account the exercise of due diligence.

7 d) The government does not object to the continuance.

8 e) Based on the above-stated findings, the ends of justice served by continuing the
9 case as requested outweigh the interest of the public and the defendant in a trial within the
10 original date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of December 6, 2021, to February 7,
13 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at the defendant's request on the
15 basis of the Court's finding that the ends of justice served by taking such action outweigh the
16 best interest of the public and the defendant in a speedy trial.

17 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
19 must commence.

20 IT IS SO STIPULATED.

21 Dated: November 11, 2021

PHILLIP A. TALBERT
Acting United States Attorney

23 _____
24 /s/ SAM STEFANKI
25 SAM STEFANKI
26 Assistant United States Attorney

27 Dated: November 11, 2021

28 _____
29 /s/ JENNIFER MOUZIS
30 JENNIFER MOUZIS
31 Counsel for Defendant
32 GABRIEL DIOP

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED.

Dated: November 15, 2021

WILLIAM B. SHUBB

UNITED STATES DIS

UNITED STATES DISTRICT JUDGE